

March 31, 2023

Via Email (CronanNYSDChambers@nysd.uscourts.gov)

The Honorable John P. Cronan
United States District Court Judge
Southern District of New York 500
Pearl Street, Room 1320
New York, NY 10007

Re: Diocese of Rockville Centre v London Market Insurers, No. 21-cv-00071 (JPC)

Dear Judge Cronan:

This joint status letter is submitted by plaintiff The Roman Catholic Diocese of Rockville Centre ("Diocese") and defendants Certain Underwriters at Lloyd's, London and Certain London Market Companies ("LMI") pursuant to the Court's March 1, 2023 Minute Entry.

Since the last status letter dated February 28, 2023, LMI have filed their Answer and Affirmative Defenses to the Diocese's First Amended Complaint. Also, on March 2, 2023, the Diocese made an additional production of documents relating to its Independent Reconciliation and Compensation Program. LMI are in the process of reviewing those documents.

On October 27, 2021, the parties entered into a Civil Case Management Plan and Scheduling Order [Doc. 70]. The deadlines in the Scheduling Order are contingent on the conclusion of mediation. The mediation proceedings in the Bankruptcy Court have not concluded. On March 8, 2023, the Diocese and Committee held a mediation session. Insurance Companies were not invited to participate in that particular session, but it is anticipated that LMI will participate in future mediation sessions. While LMI are interested in participating in further mediation efforts, they continue to reserve their rights to seek court intervention in the event a dispute arises with respect to the production of information that is necessary for mediation or other purposes.

On March 27, 2023, the Diocese and the Committee informed the Bankruptcy Court¹ that the parties agreed to the appointment of Magistrate Judge Sarah L. Cave to serve as a co-mediator. At a hearing in the Bankruptcy Court on March 28, 2023, Chief Judge Martin Glenn acknowledged the agreement, but no official appointment was made at that time.

Informed by the above developments, LMI and the Diocese have continued their discussions about whether the involvement of a Magistrate Judge in settlement discussions could be beneficial. The parties are further considering whether the involvement of a Magistrate Judge appointed by the Bankruptcy Court could serve this role or whether a separate appointment may be necessary.

The parties jointly request that they be permitted to report back to the Court by April 28, 2023.

Very truly yours,

/s/*John B. Berringer*
John B. Berringer

¹ In re: The Roman Catholic Diocese of Rockville Centre, New York, Case No. 20-12345, at Doc. 1916.

Reed Smith LLP

/s/ Catalina Sugayan

Catalina Sugayan

Clyde & Co US LLP

cc: Jeffrey Kahane, Esq. (jkahane@duanemorris.com)
Russell W. Roten, Esq. (rwroten@duanemorris.com)
James Moffitt, Esq.(james.moffitt@clydeco.us)
Timothy P. Law (tlaw@reedsmith.com)